

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RONALD STILLMAN

Plaintiff,

v.

STAPLES, INC.

Defendant

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Civil Action No. 07-849 (KSH)

ORDER

This matter having come before the Court by way of motions of defendant for judgment as a matter of law and a new trial pursuant to Fed. R. Civ. P. 50;

and it appearing that the defendant filed three separate motions and three separate briefs in support of its request for relief;

and a party's motion for judgment as a matter of law and a new trial is a single motion that may be predicated upon multiple arguments;

and the L. Civ. R. 7.2 setting page limits concerning briefs in support of a motion;

and Rule 7.2 stating that "[a]ny brief shall include a table of contents and a table of authorities and shall not exceed 40 ordinary typed or printed pages . . . excluding the pages required for the table of contents and authorities . . . "

and the briefs that have been submitted in support of the single motion total 72 pages, excluding the pages required for the table of contents and authorities;

and while there is authority to submit a brief that exceeds the page limit, such briefs may only be submitted if "special permission . . . is obtained prior to the submission of the brief," L. Civ. R. 7.2(b);

and no permission having been sought;

and it appearing that the multiple motion and briefs circumvents the pages limits;

and the briefs therefore violate Rule 7.2;

and the Courts in this District strictly enforcing this rule, Thompson v. Eva's Village and Sheltering Program, Civ. No. 04-2548, 2008 WL 4661802, * 2 (D.N.J. Oct. 20, 2008)(stating that "Courts in this district have admonished parties, including those proceeding pro se, for violating Rule 7.2(b) and have repeatedly refused to consider briefs submitted in violation of the rule."); CSR Ltd. v. Cigna Corp., Civ. No. 95-2947, 2005 WL 3132188, *16 (D.N.J. Nov. 21, 2005)(referring to Local Civil Rule 7.2(b) and stating that "[t]he Court expects all parties to adhere strictly to the limitations of the Local Rules in all future submissions and avoid artificial ruses designed to expand the length of briefs.");

and the Court finding that, given the nature of the issues, there is no need for the parties to submit briefs that exceed the page limit;

IT IS THEREFORE ON THIS 16th day of March, 2009

ORDERED that the motions of defendant for judgment as a matter of law and a new trial pursuant to Fed. R. Civ. P. 50 [Docket Nos. 696, 697, and 698] are struck. A single motion and single brief that complies with L. Civ. R. 7.2 shall be submitted no later than **March 19, 2009**. New arguments may not be submitted;

IT IS FURTHER ORDERED that, no later than **March 28, 2009**, the plaintiffs shall submit their brief in response to defendant's motion and petition in support of their request for attorneys fees if the fee issue is unresolved;¹

IT IS FURTHER ORDERED that, no later than **April 1 , 2009**, the defendant shall

¹ Because no new arguments can be included, the plaintiffs are only being given a two-day extension to submit their opposition. Moreover because the defendant's briefing has caused the delay, it is receiving only a one-day extension to submit its reply.

submit its reply; and

IT IS FURTHER ORDERED that, no later than **April 19, 2009**, the defendant shall submit its opposition to the fee petition if the fee issue is unresolved.

s/Patty Shwartz
UNITED STATES MAGISTRATE JUDGE